

JAN 22 2021

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# A BILL FOR AN ACT

RELATED TO CAMPAIGN FINANCE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 11-323, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§11-323 Organizational report, noncandidate committee.**

4           (a) The noncandidate committee organizational report shall  
5 include:

- 6           (1) The committee's name, which shall incorporate the full  
7 name of the sponsoring entity, if any. An acronym or  
8 abbreviation may be used in other communications if  
9 the acronym or abbreviation is commonly known or  
10 clearly recognized by the general public. The  
11 committee's name shall not include the name of a  
12 candidate;
- 13           (2) The committee's address, including web page address,  
14 if any;
- 15           (3) The area, scope, or jurisdiction of the committee;
- 16           (4) The name and address of the committee's sponsoring  
17 entity. If the committee does not have a sponsoring



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- 1           entity, the committee shall specify the trade,  
2           profession, or primary interest of contributors to the  
3           committee;
- 4           (5) The name, address, telephone number, occupation, and  
5           principal place of business of the chairperson;
- 6           (6) The name, address, telephone number, occupation, and  
7           principal place of business of the treasurer and any  
8           other officers;
- 9           (7) An indication as to whether the committee was formed  
10          to support or oppose a specific ballot question or  
11          candidate and, if so, a brief description of the  
12          question or the name of the candidate;
- 13          (8) An indication as to whether the committee is a  
14          political party committee;
- 15          (9) The name, address, telephone number, occupation, and  
16          principal place of business of the custodian of the  
17          books and accounts;
- 18          (10) The name and address of the depository institution in  
19          which the committee will maintain its campaign account  
20          and each applicable account number; and



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1 (11) A certification by the chairperson and treasurer of  
2 the statements in the organizational report.

3 (b) Any change in information previously reported in the  
4 organizational report, with the exception of subsection (a)(12),  
5 shall be electronically filed with the commission within ten  
6 days of the change being brought to the attention of the  
7 committee chairperson or treasurer.

8 (c) Any noncandidate committee that violates all or any  
9 part of this section shall be subject to a minimum fine of  
10 \$1,000 per violation."

11 SECTION 2. Section 11-391, Hawaii Revised Statutes, is  
12 amended by amending subsection (b) to read as follows:

13 "(b) The fine for violation of this section, if assessed  
14 by the commission, shall [~~not exceed \$25~~] be at least \$150 for  
15 each advertisement that lacks the information required by this  
16 section or provides prohibited information, and shall not exceed  
17 [~~an aggregate amount of \$5,000.~~] twenty-five per cent of the  
18 total expenditure for the advertisement lacking the proper  
19 disclaimer."

20 SECTION 3. Section 11-393, Hawaii Revised Statutes, is  
21 amended by amending subsection (d) to read as follows:



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1           "(d) Any noncandidate committee that violates this section  
2 shall be subject to a minimum fine [~~under section 11-410.~~] of  
3 \$1,000 per violation, not to exceed twenty-five per cent of the  
4 total expenditure for the advertisement lacking the proper  
5 disclaimer."

6           SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8           SECTION 5. This Act shall take effect on July 1, 2021.

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INTRODUCED BY: \_\_\_\_\_



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**Report Title:**

Campaign Finance; Advertisements; Noncandidate Committees;  
Violations; Fines

**Description:**

Increases the amount of fines that may be assessed against a noncandidate committee for violations of organizational report requirements and the amount of fines that may be assessed for violations of advertisement disclaimer requirements.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

